

III. REMARKS

Status of the Claims

Claims 1-13 remain under consideration.

Summary of the Office Action

Claims 1-13 stand rejected under 35USC102(e) based on the previously cited reference Wong, et al, U.S. Patent No. 5,881,103. The Examiner is respectfully requested to reconsider the rejection in view of the following remarks.

Responsive Remarks

The Examiner steadfastly holds to two untenable positions. The first is that the accessory of Wong, et al supports two-way communications with its associated device and the second is that the accessory of Wong, et al inherently has a microprocessor. Neither contention is supported in anyway by the disclosure of the cited reference Wong, et al.

In the most recent response to Applicant's arguments to the contrary, the Examiner states:

"Regarding the microcontroller in the accessory (auxilliary) device, the accessory circuit in the accessory device clearly states that the circuit enables the functions of the accessory device wherein the accessory device transmits and receives data via the interface, which indicates the accessory device via the accessory circuit processing audio parameters/data between the audio device and the accessory device. Further, the argument against the accessory device actual reading on the auxiliary of processing audio parameters is supported by Wong, wherein, Wong's accessory device explicitly includes memory which stores audio parameters which may be transmitted to the electronic device, and the accessory device processes other parameters to the filters, and with the accessory circuit enabling the functions of the accessory device, the accessory device teaches processing of audio parameters, even in respect the function of the memory,

even though the connection of the memory and accessory circuit is not explicitly indicated in the drawing. (emphasis added)

In support of the above, the Examiner has cited the following excerpts from Wong, et al:

"The speaker microphone audio accessory 120 includes accessory circuitry 222 that implements the functions of the accessory, and a storage area or memory 220 that stores equalizer or equalization parameters corresponding to an audio response or impact characterization for the audio accessory." (column 2, lines 52-57)

and

"Preferably, the DSP 206 is used to implement audio level adjusting and frequency shaping using data supplied from the accessory 120. RAM 207 is used to store information received from the accessory via the radio accessory interface 115. The information within the RAM 207 is used by the filter 208 to effect a particular audio compensation for signals associated with the accessory. For example, the DSP 206 may interface to the audio analog input and output stages within the radio, which are used to process signals from an accessory, to drive analog voice or data signal lines for the accessory.

FIG. 3 is a block diagram of the memory structure of the memory 220 of the accessory 120, in accordance with the present invention. The memory structure includes transmit and receive entries (or parameters) for gain, 304, 310; equalizer coefficients 308, 314; and filter structure 306, 312." (column 3, lines 9-24)

Accordingly, the accessory device of Wong, et al, stores audio parameters, for use by DSP 206. DSP 206 receives the parameters as controlled by the microprocessor 204 through interface 115. There is nothing in the reference Wong, et al to indicate that the accessory receives anything back. The Examiner's position that there is two-way communication is not based on any teaching of the cited reference. All reference to the transfer of data is from the accessory. The only connection between the device 110 and the memory 220 is to the interface 115 and that is shown as an arrow 250 from the memory to the interface. Yet the

Examiner denies the clear implication of this and concludes otherwise. The Examiner's reference to the accessory transmitting and receiving has no basis.

Similarly, the Examiner maintains that the accessory circuitry 222 of Wong, et al requires a processor. As if to reinforce this, the Examiner uses the words "processes and processing" when in fact the words "stores and storing" would be more accurate. The Examiner relies on the phrase, "implements the functions of the accessory", as indicating processing.

Memory is generally a passive device which is accessed by a processor such as microcontroller 204 of Wong, et al. There is nothing inherently processed in memory 220 merely stored. Again there is no connection shown between memory 220 and accessory circuitry 222. This seems to imply that there is no processing of the parameters in memory 220 by accessory circuitry 222. The Examiner chooses to ignore this implication without any evidence to the contrary. The circuitry of a microphone or speaker need not inherently involve a processor. Indeed there is nothing in the teaching of Wong, et al to indicate a processor is required.

Applicant maintains that the operation of the accessory of Wong, et al is simple. It is described succinctly at column 5, lines 42-49, as follows:

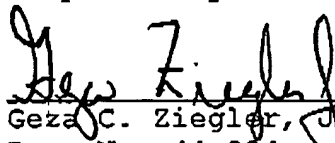
"When the accessory is coupled to the electronic device, such as via the accessory interface, the electronic device reads the equalizer parameters from the audio accessory's memory, step 530. Subsequently, all audio signals associated with, or potentially impacted by, the coupled audio accessory device are preferably processed with equalization based, at least in part, on the equalizer parameters read from the accessory device, steps 540, 550."

The same process is used when setting filter parameters. There is no two-way communicating, nor is there any processing.

Applicant submits that the claims of this application describe patentable subject matter and favorable action by the Examiner is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Please charge Deposit Account No. 16-1350 for any fee deficiencies with regard to the filing of this Amendment.

Respectfully submitted,


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